

MAR 05 2007

Nixon Peabody LLP
Attorneys at Law

100 Summer Street
 Boston, Massachusetts 02110-2131
 (617) 345-1000
 Fax: (617) 345-1300

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From: Ronald I. Eisenstein Stephen R. Duly	Date: March 5, 2007	No. of Pages: 15 (including this page)	701586-053451-RCE-2
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Practitioner's Docket No. 701586-053451-RCE-2

PATENT**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Bitensky, et al.
 Application No.: 09/965,644 Group No.: 1637
 Filed: September 27, 2001 Examiner: STRZELECKA, Teresa E.
 For: CELLULAR DIAGNOSTIC ARRAYS, METHODS OF USING AND PROCESSES FOR
 PRODUCING SAME

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Commissioner for Patents
 P.O. Box 1450
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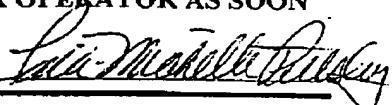
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User #: 7468	Ext: 6054	Disbursement Amount: \$	

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PATENT

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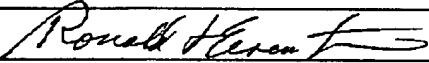
Tina-Michelle Pittsley
(type or print name of person certifying)

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TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>		Application Number	09/965,644
		Filing Date	September 27, 2001
		First Named Inventor	BITENSKY, Mark
		Group Art Unit	1637
		Examiner Name	STRZELECKA, Teresa E.
Total Number of Pages in This Submission		Attorney Docket Number	701586-053451-RCE-2

ENCLOSURES (check all that apply)			
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers <i>(for an Application)</i> <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Declaration and Power of Attorney <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Application Data Sheet <input type="checkbox"/> Request for Corrected Filing Receipt with Enclosures <input type="checkbox"/> A self-addressed prepaid postcard for acknowledging receipt <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Facsimile Cover Sheet; Certificate of Transmission; Fee(s) Transmittal - Part B - PTOL-85; Letter to Examiner Regarding Request for Corrected Filing Receipt - PTO Error; COPY - Request for Corrected Filing Receipt	<input type="checkbox"/>
		Remarks	<input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees required or credit any overpayments to Deposit Account No. 50-0850 for the above identified docket number.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Nixon Peabody LLP
Signature	
Name	Ronald I. Eisenstein (Reg. No. 30,628)/Stephen R. Duly (56,183)
Date	March 5, 2007

CERTIFICATE OF TRANSMISSION [37 CFR 1.8(b)]

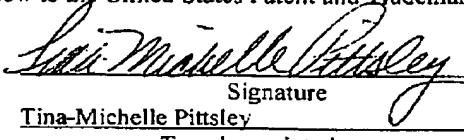
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Tina-Michelle Pittsley
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Practitioner's Docket No. 701586-053451-RCE-2

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Bitensky, et al.
Application No.: 09/965,644 Group No.: 1637
Filed: September 27, 2001 Examiner: STRZELECKA, Teresa E.
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FOR PRODUCING SAME

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LETTER TO EXAMINER

It is noted that the title of invention is incorrect on the Fee(s) Transmittal – Part B – PTOL-85.

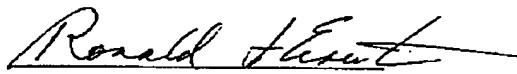
Accordingly, Applicants attach herewith a copy of the Request for Corrected Filing Receipt as filed on
March 5, 2007.

Applicants request that you contact the undersigned with any questions and/or should any further
information be required in this regard.

Date: March 5, 2007

Respectfully submitted,

Customer No.: 50607


Ronald I. Eisenstein (Reg. No. 30,628)
Stephen R. Duly (Reg. No. 56,183)
NIXON PEABODY LLP
100 Summer Street
Boston, MA 02110-2131
Tel. (617) 345-6054/1270

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Attorneys at Law

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Tina-Michelle Pittsley

March 5, 2007
Date



Signature

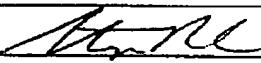
Certification of Facsimile Transmission--page 1 of 1

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TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>		Application Number 09/965,644
Total Number of Pages in This Submission		Filing Date September 27, 2001
		First Named Inventor BITENSKY, Mark
		Group Art Unit 1637
		Examiner Name STRZELECKA, Teresa E.
		Attorney Docket Number 701586-053451-RCE-2

ENCLOSURES (check all that apply)		
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		Remarks
<input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees required or credit any overpayments to Deposit Account No. 50-0850 for the above identified docket number.		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Nixon Peabody LLP
Signature	
Name	Ronald I. Eisenstein (Reg. No. 30,628)/Stephen R. Duly (56,183)
Date	3/5/07

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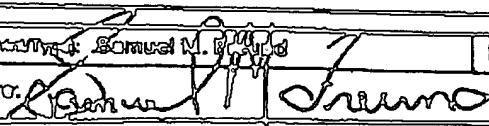
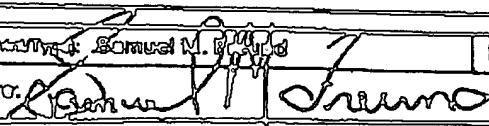
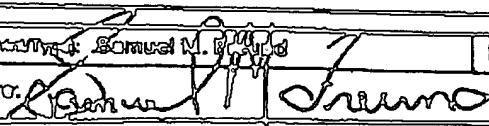
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11/05/00

UTILITY PATENT APPLICATION TRANSMITTAL	Attorney Docket No.: S-092701 First Inventor or Applicant Name: Mark W. Bitensky et al. Title: CELLULAR DIAGNOSTIC ARRAYS, METHODS OF USING AND PROCESSES FOR PRODUCING SAME Express Mail Label No: E1104966131US
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APPLICATION ELEMENTS	ADDRESS TO:						
<p>1. <input type="checkbox"/> Fee Transmittal Form (e.g. PTO/SB/17) (check if enclosed and a checkmark for no processing)</p> <p>2. <input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.</p> <p>3. <input checked="" type="checkbox"/> Specification [Total Pages 28] <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Descriptive title of the Invention <input checked="" type="checkbox"/> Cross References to Related Applications <input checked="" type="checkbox"/> Statement Regarding Fed sponsored R&D <input type="checkbox"/> Reference to sequence listing, a table or a computer program listing appendix <input checked="" type="checkbox"/> Background of the Invention <input checked="" type="checkbox"/> Brief Description of the Drawings (if filed) <input checked="" type="checkbox"/> Detailed Description <input checked="" type="checkbox"/> Claim(s) <input checked="" type="checkbox"/> Abstract of the Disclosure </p> <p>4. <input checked="" type="checkbox"/> Drawings(s) as U.S.C.111 (Total Sheets 6) <ul style="list-style-type: none"> <input type="checkbox"/> Formal <input checked="" type="checkbox"/> Informal </p> <p>5. <input type="checkbox"/> Declaration & Power of Attorney [Total Pages 1] <ul style="list-style-type: none"> a. <input type="checkbox"/> Newly executed (original or copy) b. <input type="checkbox"/> Copy from a prior application (PTO-1449) <ul style="list-style-type: none"> (for continuation-in-part see 1.36) c. <input checked="" type="checkbox"/> DELETION OF INVENTOR(S) <p>Signed statement reciting deleting inventor(s) named in the prior application, 37 C.F.R. §§ 1.69(a)(2) and 1.33 (b).</p> </p>	Box Patent Application Assistant Commissioner for Patents Washington, DC 20231						
ACCOMPANYING APPLICATION PARTS							
<p>6. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)</p> <p>7. Nucleotide and/or Amino Acid Sequence Submission (if applicable, see sequence) <ul style="list-style-type: none"> a. <input type="checkbox"/> Computer Readable Copy b. Specification Sequence Listing on: <ul style="list-style-type: none"> i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or ii. <input type="checkbox"/> paper c. <input type="checkbox"/> Statement verifying identity of above copies </p> <p>8. <input type="checkbox"/> Assignment Papers (cover sheet & documentation)</p> <p>9. <input type="checkbox"/> 37 C.F.R.§3.73(b) Statement <input type="checkbox"/> Power of Attorney (when there is no attorney)</p> <p>10. <input type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 <input type="checkbox"/> Copies of IDS Citations</p> <p>11. <input type="checkbox"/> Preliminary Amendment</p> <p>12. <input type="checkbox"/> Return Receipt Postcard (MPEP 503) (marked as specifically directed)</p> <p>13. <input type="checkbox"/> Certified Copy of Priority Document(s) (if foreign priority is claimed)</p> <p>14. <input type="checkbox"/> Other:</p>							
<p>15. If a CONTINUATING APPLICATION, check appropriate box, and supply the required information below and in a preliminary amendment</p> <p><input type="checkbox"/> Continuation <input type="checkbox"/> Divisional <input type="checkbox"/> Continuation-In-Part (CIP) of prior application S.N. _____</p> <p>Prior application information:</p> <p>CONTINUATION-IN-PART (CIP) INFORMATION: The entire disclosure of the prior application, from which an claim or portion thereof is being derived or is in some way dependent, is incorporated by reference and made part of this application by this incorporation by reference. The incorporation is made with the understanding that a portion has been newly derived from the prior application.</p>							
16. CORRESPONDENCE ADDRESS							
<p>Name: Samuel M. Freedman</p> <p>Address: 1029 Corona</p> <p>City: Los Alamitos State: New Mexico Zip Code: 87544</p> <p>Country: United States Telephone: (505) 637-8701 Fax: (505) 661-8795</p>							
<table border="1" style="width: 100%;"> <tr> <td style="width: 50%;">Name (print): Samuel M. Freedman</td> <td style="width: 50%;">Registration No. (print/last 4 digits): 30,499</td> </tr> <tr> <td colspan="2">Signature: </td> </tr> <tr> <td colspan="2">Date: September 27, 2001</td> </tr> </table>		Name (print): Samuel M. Freedman	Registration No. (print/last 4 digits): 30,499	Signature: 		Date: September 27, 2001	
Name (print): Samuel M. Freedman	Registration No. (print/last 4 digits): 30,499						
Signature: 							
Date: September 27, 2001							

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**CELLULAR DIAGNOSTIC ARRAYS, METHODS OF USING AND
PROCESSES FOR PRODUCING SAME**

Inventors: **Mark W. Bitensky**
99 Plainfield
Waban, Massachusetts 02468

CITIZEN OF THE UNITED STATES

Tatsuro Yoshida
1736 Commonwealth Avenue
Newton, Massachusetts 02465

CITIZEN OF JAPAN

Michael G. Frank
1721 Gilcrest
East Lansing, Michigan 48825 **Gabel Christopher**
 14 Sparhawk, #1
 Brighton, Massachusetts 02135

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Practitioner's Docket No. 701586-053451-RCE-2**PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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Filed: September 27, 2001 Examiner: STRZELECKA, Teresa E.
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REQUEST FOR CORRECTED FILING RECEIPT

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2. There is an error with respect to the following data, which is:
 [X] incorrectly entered

and/or
 [] omitted.

<i>Error in</i>		<i>Correct data</i>
1. []	Applicant's name	1.
2. []	Applicant's address	2.
3. []	Applicant's name	3.
4. []	Applicant's address	4.
5. []	Applicant's name	5.
6. []	Applicant's address	6.
7. []	Applicant's name	7.
8. []	Applicant's address	8.
9. [X]	Title	9. CELLULAR DIAGNOSTIC ARRAYS, METHODS OF USING AND <u>PROCESSES</u> FOR PRODUCING SAME
10. []	Filing Date	10.

Page 1 of 2

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11. [] Serial Number 11.
12. [] Foreign/PCT Application Re: 12.
13. [] Domestic Priority 13.

3. *(complete the following applicable item)*

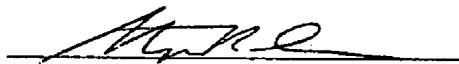
[X] The correction(s) is not due to any error by applicant and no fee is due. Applicants respectfully request that the database be corrected promptly as the issue fee is due on March 5, 2007.

OR

[] At least one of the above corrections is due to applicant's error and the fee therefore, under 37 C.F.R. Section 1.19(h), of \$25.00 is paid as follows:

Date: March 5, 2007

Respectfully submitted,



Ronald I. Eisenstein (Reg. No. 30,628)
Stephen R. Duly (Reg. No. 56,183)
NIXON PEABODY LLP
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APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE RECD	ATTY.DOCKET.NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/965,644	09/27/2001	1645	0.00	S-092701	6	46	5

CONFIRMATION NO. 3052

FILING RECEIPT



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Domestic Priority data as claimed by applicant

THIS APPLN CLAIMS BENEFIT OF 60/235,841 09/27/2000

Foreign Applications

If Required, Foreign Filing License Granted 10/30/2001

Projected Publication Date: To Be Determined - pending completion of Missing Parts

Non-Publication Request: No

Early Publication Request: No

Title

processes

→ Cellular diagnostic arrays, methods of using and processing for producing same

Preliminary Class

435

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